

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHEASTERN DIVISION

Allen A. Bosch,

Civil Action No. 3:08-cv-101 (RRE/KKK)

Plaintiff,

v.

DEFENDANT'S SPECIAL VERDICT FORM

Red River Valley & Western Railroad
Company, a corporation,

Defendant.

QUESTION NO. 1: Do you find from a preponderance of the evidence that defendant Red River Valley & Western Railroad Company was negligent in the manner claimed by plaintiff Allen Bosch and that such negligence was a legal cause of damage to plaintiff?

Answer Yes or No _____

QUESTION NO. 2: If you answered "Yes" to Question One, do you find from a preponderance of the evidence that plaintiff Allen Bosch was negligent in the manner claimed by defendant River Valley & Western Railroad Company and that such negligence was a legal cause of plaintiff's own damage?

Answer Yes or No _____

QUESTION NO. 3: If you answered "Yes" to Question Two, what proportion or percentage of plaintiff Allen Bosch's damage do you find from a preponderance of the evidence to have been legally caused by the negligence of the respective parties?

Answer in Terms of Percentages

Defendant Red River Valley & Western Railroad Company _____ %

Plaintiff Allen Bosch _____ %

[Note: The total of the percentages given in your answer should equal 100%.]

QUESTION NO. 4: If you answered “Yes” to Question One, what sum of money do you find from a preponderance of the evidence to be the total amount of plaintiff Allen Bosch’s damages (without adjustment by application of any percentages you may have been given in answer to Question Three)?

Answer in Dollars \$_____

Dated this _____ day of _____, 2010, at _____ .m., at Fargo, North Dakota.

Foreperson

O’Malley Grenig Lee, Federal Jury Practice and Instructions – Civil, §155.150 (5th ed.) (modified)